IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.207 OF 2006

Hirachand Raichand Pagaria, .. Petitioner
Vs
The State of Maharashtra & Anr. .. Respondents.

Mr.Subhash Jha with Laxmi Menon and Gaurow Agarwal i/b Law Global, for the petitioner.
Mrs M.M.Mhatre, APP for the respondent-State.

CORAM : D.B.BHOSALE, J.

DATED : 7th JUNE, 2006

P.C.:

1. Rule. Rule returnable forthwith. The respondents waive service. By consent, rule is heard forthwith.

2. Though the petitioner has prayed for quashing and setting aside the order dated 29.10.2005, Mr. Jha, learned counsel for the petitioner, fairly stated that the petitioner will be satisfied if the operative part of the order is modified and some more time is granted to the petitioner to deposit half of the compensation amount. Considering the overall facts and circumstances of the case, I propose to modify the operative part of the order as under:

(i) The judgment of conviction and sentence passed in SCC No.872 of 2003 is suspended till the disposal of the appeal on the petitioner depositing five lacs of

rupees within two weeks from today out of the half of the compensation of Rs. thirty lacs as directed in the impugned order and remaining amount, i.e. ten lacs within four weeks therefrom. Rest of the order remains unaltered.

(ii) With this modification of the impugned order, the writ petition stands disposed of.

(D.B.BHOSALE,J.)